

REMARKS

The rejection of Claims 1-18 under 35 U.S.C. § 103(a) over US '462 in view of US '390 is respectfully traversed.

US '462 issued on February 2, 2005 from an application 10/286,816 (US '816) that was filed on November 4, 2002. Thus, US '462 may be available as prior art under 35 U.S.C. § 102(e). However, Applicants note that the present application and US '462 were, at the time the present application was made, owned by Ricoh Co., Ltd. Therefore, US '462 may be excluded under 35 U.S.C. § 103(c).

Applicants note that while US '816 published as US Patent Application Publication No. 2003/0152859 (US '859) on August 14, 2003, US '859 is not available as prior art because Applicants claim of priority antedates the publication date of US '859.

US '390 issued on August 30, 2005 from an application 10/394,265 (US '265) that was filed on March 24, 2003. Therefore, US '390 may be available as prior art under 35 U.S.C. § 102(e). However, Applicants note that the present application and US '390 were, at the time the present application was made, owned by Ricoh Co., Ltd. Therefore, US '390 may be excluded under 35 U.S.C. § 103(c).

Applicants note that while US '265 published as US Patent Application Publication No. 2003/0180644 (US '644) on March 24, 2003, US '644 is not available as prior art because Applicants claim of priority antedates the publication date of US '644.

Therefore, Applicants request that the Examiner withdraw this rejection.

The rejection of Claims 1-18 under the judicially created doctrine of obviousness-type double patenting over claims 1-16 of US '462 in view of US '390 is obviated by the Terminal Disclaimer filed concurrently herewith.

Applicants file concurrently herewith a Terminal Disclaimer over 6,936,390.

It is respectfully requested that the Examiner withdraw this rejection.

The rejection of Claims 1 under 35 U.S.C. § 112, second paragraph, is respectfully traversed.

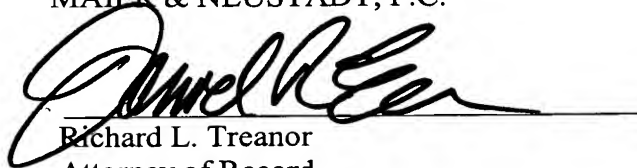
Applicants note that in the present invention, the reason why the toner is evaluated by the storage elastic modulus (G') at a frequency of 1 Hz and a temperature of 180°C is because Applicants discovered that the progress of the crosslinking reaction and/or elongation reaction can be estimated by measuring the storage elastic modulus (G'). The Examiner's attention is directed to the specification text beginning on page 38, line 24 and continuing through page 39, line 23.

Applicants request that the Examiner withdraw this rejection.

In consideration of the above, Applicants respectfully request that the Examiner pass this application to issue.

Respectfully submitted,

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